

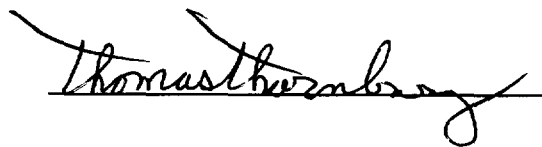
INJUSTICE IN AMERICA: THE CITY OF PHILADELPHIA'S HANDLING OF
THE MOVE ORGANIZATION

Honors Thesis (HONORS 499)

by

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A handwritten signature in cursive script, reading "Thomas Thornburg", is written over a horizontal line.

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TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	ROOTS OF THE MOVE ORGANIZATION	6
III.	FRANK RIZZO & PHILADELPHIA LAW ENFORCEMENT	15
IV.	MAY 13, 1985	24
V.	CONCLUSION	31

I. INTRODUCTION

On the morning of May 14, 1985, officials from the city of Philadelphia were using a large piece of earth moving equipment, the kind with large steel buckets on the end to scoop up the earth, to sift through the remains of what used to be a neighborhood on the West side of Philadelphia. Two days before, on Mother's Day, the city evacuated more than 250 people from their homes in preparation for a May 13, 1985, assault on the residents of 6221 Osage Avenue. During this planned attack on 6221 Osage Avenue the city used military warfare in an attempt to kill the people inside. Police fired over ten thousand rounds of ammunition, including; fire from a fully automatic 9-mm Upi submachine gun and automatic pistols; police detonated several pounds of military explosives; pumped 640,000 gallons of water into the house; then twelve hours later, dropped a bomb containing the military explosives C-4 and Tovex from a state helicopter onto the roof which ignited a fire. In addition, the city let the fire burn out of control for over an hour before any attempt was made to put it out. In fact, a direct order was given not to fight the fire. The fire burned from shortly after

5:27 pm when the bomb was dropped, until 11:40 pm when the fire was declared under control (p.238 Report of the Grand Jury). When the smoke finally cleared, the city of Philadelphia had burned 61 row houses to ashes, left 250 people homeless, incinerated several animals and 11 human beings in an inferno that reached temperatures in excess of 2000 degrees Fahrenheit (Grand Jury Report, p. 240).

It is important to recognize the far reaching ramifications of this action by the city. Setting free the repressed masses is a familiar theme in American history; however, the United States, the infamous liberator of the Native American Indian, African, Asian, and Kuwait, has proven itself no second fiddle to the advertised repression suffered by citizens at the hands of Communist, Socialist, and Marxist governments. The massacre on Osage Avenue was a result of the city's consistent, constant, and planed attempt to exterminate MOVE. Bowser explains that government assaults on citizens is not uncommon; "Genocide, torture, enslavement and other oppressions have been instruments of public policy employed by ever government in every hemisphere. That women and children were killed by intentional acts of their local government is not new, but the context of the tragedy of May 13, 1985 is unique" (p. iv). America, land of the free and home of the brave, has shown its true colors, Mumia Abu-Jamal, in his book, Survival is Still a Crime, describes the global implications of such action:

Philadelphia's response to MOVE's righteous demand for freedom has echoed across the earth. During the much-

touted "summit" meeting between Reagan and Gorbachov, the threatened U.S./U.S.S.R. human rights "showdown" never materialized. Why not? Did the representative of "The American Way" forget? The Soviet news agency (TASS) offered a more apt reason: 'American authorities recently gave the whole world a demonstration of their democracy when they publicly slaughtered more than a dozen black-skinned inhabitants of Philadelphia and bombed a whole city block' (p. 24-25).

The city fatally burned and/or shot six adults on May 13, 1985. Included among the dead; Frank James Africa, Rhonda Harris Ward Africa, Raymond T. Foster Africa, Theresa Brooks Africa, Conrad Hampton Africa, and Vincent Leaphart. The city also killed five children including; Katricia Dotson Africa, 15; Zannetta Dotson Africa, 13; Phil Phillips Africa, 12; Delitia Orr Africa, 12; and Tomasa Levino Africa, 9 (Anderson and Hevenor, p. 109).

Only one adult, Ramona Johnson Africa, and only a single child, Birdie Africa, survived the police war against the Africa family. After this catastrophe the mayor of Philadelphia said he was responsible and if necessary would do it again. The lone adult survivor, Ramona Johnson Africa, was convicted of riot and sentenced to 16 months to seven years incarceration (Anderson and Hevenor p. 382-384). The men, women, and children inside 6221 Osage Avenue were members of the MOVE organization, a family of revolutionaries, founded by John Africa and based on the principles of natural law as taught by John Africa.

In order to understand the May 13 bombing it is paramount that an attempt be made to answer the following questions; How could the city justify such an act? What events lead up to the Osage massacre? Why was the whole day not prevented? What

message does the government send to the citizens after a public slaughter of children on live television?

The message coming from the American government is, "Whoever has the gold makes the rules," The rich repress the less fortunate at whatever means necessary to maintain their wealth, power and status. Since power involves mastery, we turn to Herbert Marcuse, One-Dimensional Man for the acute description of mastery: "There are two kinds of mastery: a repressive and a liberating one. The latter involves the reduction of misery, violence, and cruelty" (p. 236).

The objective of this project will be to establish evidence that supports the claim; The United States government, by increasing violence, misery, and cruelty in the lives of its citizens, represses Americans.

In his book, Let the Bunker Burn, Black American attorney at law, Charles W. Bowser states that, "Justice denied to anyone is justice denied to everyone" (p. 175). Of course, we (Americans) have been taught to believe that since grade school, America's founding fathers fashioned the idea of a country that used whatever means necessary to maintain the power held by those with property. The founding fathers also drafted documents that supposedly assured all citizens of the right to life, liberty, and the pursuit of happiness. We all know what they say, but the better question to ask is, what do they mean? Not only what do they mean, but, how do they propose to uphold these lofty ambitions?

Bowser's argument suggests that one example of injustice within the system amounts to an entire system of injustice. The idea Bowser is elucidating is that if a system is just, there will be no occurrences of injustice within that system. In fact, if the system allows injustice, the system cannot be just. Following this systems analysis perspective, any example of the system not being just would justify the hypothesis that the U. S. government represses its citizens.

This project focuses on the injustices suffered by MOVE at the hands of the system; through the study of MOVE's battles with Philadelphia officials, we can better understand how those with power inflict violence, misery, and cruelty upon the powerless in order to gain mastery over them. Furthermore, we can better understand the methods used to repress the citizens and begin to analyze why governments put so much time and energy into increasing the amount of force used to repress the citizenry. MOVE is such an important example because its mission is to expose the injustices of the system.

The MOVE organization is a revolutionary organization, we are the vanguard, the spearhead of John Africa's revolution. Our work is to confront this system by exposing the corruption in this system. Our work is to show people through MOVE's example of unity, consistency, that they can fight this system and win once they realize this system is the cause of all their problems (Africa, Ramona, letter received 3\21\91).

In order to gain a full understanding for the brutal assault on MOVE in 1985, it is important to begin with the formation of MOVE, then work through some of the significant events that lead

to the slaughter of innocent children on May 13, 1985.

II. ROOTS OF THE MOVE ORGANIZATION 1971-1977

Philadelphia is not unlike any other big city in the world, it has problems with poverty, pollution, crime, unemployment, disease, violence, overcrowding, racism and perhaps the more human tragedy of citizens that can no longer cope with the problems of day to day existence in such an environment. Vincent Lopez Leaphart was not a man to let the injustices of the world rot away his spirit. Vincent Lopez Leaphart was born on July 26, 1931 during the great depression. His early life was spent learning how to survive in the city, eventually he dropped out of school and joined the military, serving during the Korean War. In 1971 Leaphart moved into Powelton Village on the West side of Philadelphia (Anderson and Hevenor p. 1-4). In the book Burning Down the House, Anderson and Hevenor (two Philadelphians) describe what Powelton Village was like during the early seventies.

Powleton Village encompassed a varied lot, including undergraduates, graduate student, and faculty from the nearby universities-the Ivy Leagues's University of Pennsylvania and the technically oriented Drexel University. In this hodgepodge of blacks and whites, students and professors, gays and straights, hippies and young professionals, Leaphart, made his living in carpentry and repairs-a "handyman," as his father had once been-or else walking dogs for hire (p. 2-3).

Leaphart enjoyed the educated, diverse crowd and loved to talk and share ideas with the neighbors. In 1971 Leaphart became associated with Donald Glassy, a white man in his early twenties

with a recent master's degree in social work received from the University of Pennsylvania. Glassy described Leaphart as a warm and loving person with some good ideas. Glassy offered to put what Leaphart was saying down in book form called, The Book of Guidelines, or simply The Guidelines, and later as The Teachings of John Africa (p. 3). "Vincent Leaphart took the name John Africa as early as 1972, by way of paying homage 'to the continent where all life began.' "No one seems to know why Leaphart chose the first name John" (p. 3).

In 1973 Glassy and Leaphart were living at 309 North 33rd Street in Powelton Village. From this location the two men conducted study groups centering around the principles set forth in the Guidelines. The name for the group eventually became MOVE, MOVE attracted many others who also enjoyed to take part in the discussions at what was now MOVE headquarters. One of the first to take part in the study sessions was Leaphart's sister, Louise James. The MOVE organization grew in numbers and stature during the early years at Powelton, as MOVE expanded and became more co-ordinated they began to take affirmative action regarding their mission of exposing the corruption of the system. At the center of MOVE's philosophy is the opposition to the destruction of life in any form. MOVE demonstrated against institutions that they believed to be corrupting the system by taking or destroying life.

MOVE members consist of African, Asian, Latino and European Americans. All MOVE members have a strong sense of family

values; the MOVE family, including the children, work, eat, play, study, and exercise on a regular basis consisting of endurance running and push ups. MOVE members spend a lot of their time reading and writing the teachings of John Africa as part of the commitment to inform the public of the corruptions of this system. MOVE uses a composting system to cycle waste back into the earth and they avoid technology. MOVE is opposed to the American education system for their children, choosing to educate them at home. John Africa, MOVE's founder, explains why MOVE children do not attend school;

While the so-call educators talk of love, mouth the necessity for peace; we live peace, assert the power of love, comprehend the urgency of freedom. The reformed world system cannot teach love while making allowances for hate, peace while making allowances for war, freedom while making allowances for the inconsistent shackles of enslavement. For to make allowances for sickness is to be unhealthy, to make concessions with slavery is to be enslaved, to compromise with the person of compromise is to be the person you are compromising with (letter received 3\26\91).

Ramona Africa, the lone survivor of the 1985 bombing and a former student of law at Temple University explains what the early years of MOVE consisted of.

MOVE activity consisted of regular study sessions where the writing of John Africa was distributed to people and MOVE Law, Natural Law, was taught to people. MOVE people initiated co-ordinated demonstrations, Peaceful demonstrations against institutions that neglect and abuse animals, children, the elderly and the environment (letter received 3\26\91).

MOVE was aggravating these institutions so much that it reached the point of police involvement. Police reacted to MOVE in the same manor that law enforcement attacked civil rights workers in

Mississippi during the Freedom Summer of 1964. In the case of three young civil rights advocates' murder, there was little or no justice done for the friends and family who lost a loved ones to the repressive American government. MOVE has experienced similar acts of cruelty on behalf of law enforcement.

As truth means power, the institutions we protest just wanted to shut us up, to stop us, and when they couldn't shut us up, couldn't dispute the truth we put out, they call the cops who would obviously take sides with the systematic institutions we was fitin. Cops began beatin us up, lockin us up, killin MOVE babies and then puttin charges on us. When we went to court on those trumped up charges, judges would obviously side with the cops and when MOVE protested this prejudice, the injustice and blatant persecution, the judges would hold us in contempt and call on city hall sheriffs that would beat us up some more then lock us up again (letter received 3\26\91).

Law enforcement has a history of this kind of reaction to those in opposition of the system, Dr. Michael Parenti explains in, Democracy for the Few; "In recent years throughout the country, police in riot gear have attacked striking construction workers, factory workers, farm workers, truckers, and miners, arresting and badly injuring hundreds" (p.135).

Dr. Parenti further explains the function police serve in society, the function that MOVE deals with because of the confrontational stance MOVE takes concerning certain institutions.

But aside from this desirable social-service function, the police serve a class-control function-that is, they must protect those who rule from those who are ruled. And they protect the interests of capital from those who would challenge the inequities of the system. The profiteering corporate managers, plundering slumlords, swindling merchants, racist school boards, self-

enriching doctors, special-interest legislators, and others who contribute so much to the scarcity, misery, and anger that lead to individual crimes or mass riots leave the dirty work of subduing these outbursts to the police. When the police charge picket lines-beating, gassing, and occasionally shooting workers-they usually are operating with a court injunction that allows them to exert force in order to protect the interests of the corporate owners (p. 165).

Law enforcement, national politician,s corporate executives, and Judges have worked to insure that the power they have will not be diminished, they form a repressive state apparatus that abuses their authority.

After MOVE had been arrested and beaten several times by police they had a more specific grievance with the system. This transformed the conflict into MOVE versus the police and court system. No longer was MOVE exclusively protesting the neglect of children and the elderly, animal abuse, and corporate crime; MOVE began to protest the imprisonment of their family members for political reasons. Much of what MOVE does involves the spreading information about the teachings of John Africa to other citizens. When Nelson Mandela was set free by the South African government MOVE used the opportunity to draw some important conclusions and state their case for government repression around the world, including the American system.

The fact is, the apartheid government of South Africa is racist, brutal, unjust, but the U.S. government is just as racist, brutal, unjust. South African officials beat, jail, murder innocent black South Africans and this government beat, jail, murder innocent MOVE people. The South African government imprisoned Nelson Mandela because of his beliefs, because of his refusal to accept the legal injustice

of the Apartheid Government, not because he's a criminal; the U.S. government imprisoned, executed, tried to exterminate innocent MOVE people because of our belief, because of our refusal to accept the legal injustice of this government, not because we're criminals (MOVE letter, undated).

This transformation in MOVE occurred because police were pushing MOVE into the legal system. A legal system that manipulates justice to serve their wishes. Dr. Parenti provides support for this claim, "The biases written into the law, which reflect the often unjust property relations of the society, are compounded by the way the law is enforced" (p. 125.).

As early as 1975 the Philadelphia police department began to inflict wounds on MOVE that lead up to the May 13, 1985 confrontation. This fact is seldom addressed in the newspaper accounts of the city's struggle to exterminate MOVE and intimidate their members. The police beat pregnant MOVE women regularly from 1975 through 1976, killing five babies and wounding many others.

By 1977, MOVE people had been beat bloody and arrested hundreds of times; our children was attacked by cops along with MOVE adults; a number of pregnant MOVE women had been deliberately beat into miscarriage, or in the case of Rhonda Africa, she was beat so viciously when she was eight months pregnant that her baby was born with bruises all over his body and dies shortly after bein born. Alberta Africa, who is only about five feet tall, was arrested at a peaceful demonstration when she was pregnant in April of 1975, and while at police headquarters Alberta was held down on the floor by four big tall white racist male cops and her legs was held spread apart while a six foot tall sick vicious black female cop repeatedly kicked her in the vagina til she miscarried. In 1976, MOVE people was standin outside our house warmly welcomin our sisters and brothers home that had just gotten out of jail when cops from three different police districts came screechin up to our house in their patrol cars, hollarin, screamin and

swingin night sticks, beatin MOVE people bloody. Janine Africa's three week old baby Life Africa was knocked from her arms and trampled to death by the cops, his tiny head was crushed under some cops boot. Janet and LeeSing Africa, two obviously pregnant MOVE women (both no more than five feet tall) were on their way to a store in 1975 when they was stopped by cops for no reason at all except that they was recognized as MOVE women, the cops threw them both, stomach first, against the wall of the police van; they both had miscarriages as a result of the police brutality they experienced that day (letter received 3\26\91).

Sanctioned brutality such as this is the essence of MOVE's continued fight against the system, lines were drawn during the early years at Powelton Village and later at Cobbs Creek between city officials and MOVE. The city refused to acknowledge the existence of Life Africa because no birth and death certificates exist for Life Africa because MOVE prefers the natural order of things. MOVE wants the police officers who killed Life Africa to be held accountable for murdering a six-week old baby. MOVE does not believe that birth certificates and death certificates are necessary to be officially alive, therefore, MOVE had no official records of the child's existence. MOVE did not want to give the child to the state for an autopsy because that violates the MOVE philosophy. The city then asked MOVE to present the body for an autopsy to validate Life Africa's existence. MOVE offered witnesses to testify to the baby's existence, only to be turned down by the city. MOVE then invited persons from the press and Lucien Blackwell, a City Councilman, to the MOVE compound to view the dead baby. Blackwell described his experience for the media, "I found that the way they looked from the street was entirely different from the way that they lived.

I found that the day that I arrived. We went inside, everything was clean" (Assefa and Wahrhaftig, p.24).

Police pushed MOVE members into the court system for minor charges, once in the court system MOVE had an unusual way of conducting their defense; MOVE believed that they should not use the court appointed lawyers who are part of the system, instead they serve as their own defense. MOVE members also refuse to stand in honor of judges who represent the system MOVE is religiously opposed to. Most of the sentences handed down to MOVE members were for contempt of court charges not for the reasons police brought MOVE members to the court in the first place. Many of the original cases were thrown out of court, in fact, in 1976 12 MOVE members were brought before Common Pleas Court Judge Julian King and all of these cases were thrown out on a pretrial level. Three cases went before Common Pleas Court Judge Paul Ribner. These three cases lead to the "breaking of the straw with MOVE" Judge Ribner had difficulty in accepting the religious beliefs of MOVE members and ordered sheriffs to forcibly hold up members against their wishes. On February 14, 1977 Ribner apologized for his behavior toward MOVE and admitted his actions were improper. Shortly after his public apology, Ribner repealed the vow he made on that day, for Ribner held Gerald Africa in contempt of court for failing to stand (MOVE newsletter).

By May of 1977 MOVE was very upset with the police beatings, courtroom manipulation, and holding of political prisoners by

city officials. MOVE became more defensive with their children and women by fortifying the MOVE headquarters at Powelton Village. The MOVE compound was surrounded by a fence and a platform was built so that members could be seen while speaking to the public. MOVE also constructed a loudspeaker system in order to be heard over the conflicting noises. MOVE continued to speak out against the injustices of a system that breeds rape, murder, child abuse, and slavery for the purpose of keeping the power structure intact.

On May 20, 1977 MOVE demonstrated their anger and frustration with the system by displaying weapons and demanding the release of their family members. MOVE told police and neighbors that they would no longer allow the police and other city officials to beat, kill, and manipulate MOVE without MOVE defending themselves.

On May 20, 1977, committed MOVE people initiated a demonstration on the platform we built in front of our home and told system officials very clearly and very seriously over a loudspeaker that we aint havin no more MOVE babies murdered by cops and no more MOVE men, women or children brutalized and unjustly imprisoned by cops, prosecutors and judges. We made it clear that we believe in self defense, that we are not masochistic or suicidal, and that if they came at us with clubs they'd be met with clubs; if they came at us with guns they'd be met with guns; We also demanded the release of MOVE political prisoners that was in prison for no other reason than bein a MOVE member (MOVE newsletter).

The May 20, 1977 demonstration by MOVE signaled a turning point in the relationship between MOVE and the City of Philadelphia. Police intensified the war against MOVE by naming Frank Rizzo police commissioner. Rizzo's appointment was an attempt to

annilate MOVE once and for all.

III. FRANK RIZZO AND PHILADELPHIA LAW ENFORCEMENT 1966-1978

The mayor of Philadelphia from 1972-1978 was Frank Rizzo. Rizzo was a hard nosed Italian with roots in Philadelphia's racist South side who rose up the ranks of the Police Department nicknamed, "Supercop." Rizzo's philosophy concerning the inner-city rebellion, protests and rioting of the late sixties was to sweep the ghetto streets, arresting and shooting if it was necessary, anyone in the way until the rebellion died. Three events under Rizzo's reign describe his brutal style of handling protestors in Philadelphia.

In August of 1966 Rizzo went after the Student Non-violent Coordinating Committee (SNCC) with eighty heavily armed cops because he thought they were "looking for trouble." Angered by this gesture, SNCC's national chairmen Stokely Carmichael spoke out against the mayor's tactics to a large crowd; "The next time Rizzo tries to march 1500 cops into our community, he's not going to get away with it" (Harry, p. 95). These statements did little to eb Rizzo's desire to activate the small army of police he had at his command to carry out his duty to control the citizens of Philadelphia.

Rizzo went after protesting students in November of 1967, shortly after being named Police Commissioner. Black students were demanding courses on Black History and Culture, so Rizzo directed his cops to suppress the rebels by chasing and beating

the students for blocks. The President of the Board of Education criticized police tactics as did the assistant school superintendent, who said, "They just beat the shit out of those kids who offered no resistance. It was a real stampede. I had seen police brutality before, but never at this level" (Harry, p. 95). These outcries from citizens that represent the children and families of Philadelphia were not answered.

In August of 1970 Rizzo's police raided three headquarters of the Black Panther Party. Newspaper pictures show how Rizzo's men stripped the Black Panther Party members naked before lining them up against a wall (Harry, p. 95). The Black Panther Party represented a real threat to the power of the establishment explains Norton, Katzman, Escott, Chudacoff, Paterson, and Tuttle in, A People and a Nation.

To white America, one of the most fearsome of the new black groups was the Black Panther Party. Armed and wearing leather jackets, Panther leaders dedicated themselves to destroying capitalism...They began by denouncing the major political parties, big business and big labor, middle-class affluence and the suburban life-style, even the American dream itself (p. 948).

What circumstances could possibly allow this brutality to continue? Rizzo was not only liked by the higher ups in the City of Philadelphia, Richard Nixon called Rizzo's police department the model for others to follow; "Rizzo's record had met with the approval of all law enforcement officers across the United States. He has an effective record. I wanted to get his views. As I see it, other cities could use Rizzo's ideas" (Harry, p. 96). Nixon's praise of Rizzo's brutal methods are not unusual

nor should they be unexpected in America. The United States Government has spent billions of dollars to develop increasingly destructive means so law enforcement has the force necessary to squash any protests and demonstrations that might jeopardize the authority of city hall.

The Justice Department's Law Enforcement Assistance Administration has poured more than \$10 billion into research and law-enforcement hardware for state and local police, providing such things as wall-penetration surveillance radar, night-vision devices, television street surveillance systems, SWAT squad assault training, and riot equipment. The unrestricted adoption of surveillance technology by police moved one Rand Corporation engineer to speculate that 'we could easily end up with the most effective, oppressive police state ever created ' (Parenti, p. 165).

With Rizzo receiving so many accolades from Washington and backed by the powerful Italians in Philadelphia, he was an easy winner in the 1972 mayoral election. His election and promotion on the part of national officials clearly indicates the Government's desire to repress the citizens.

The conflict between Rizzo and MOVE was moving along to the liking of the authorities until the May 20, 1977 demonstration. Between 1974 and 1977 police had killed five babies and the court system had fined MOVE members over half a million dollars and arrested them over 400 times. MOVE's goal is to expose the corruption of the system and Rizzo's goal was to squash rebellion. In this case, MOVE was more than the city could deal with unless they changed their course of action.

In March of 1978 Rizzo announced that he would starve MOVE out of the Powelton Village headquarters. Using illegally

obtained search warrants, the authorities cut off water and power in addition to sealing off the entire area so that no food could get to the men, women, and small children inside the house.

Concerned citizens responded to the police blockade by breaking police lines in order to bring food and water to MOVE in spite of being arrested for their actions. At one point during the blockade the Citywide Community Coalition for Human Rights organized a demonstration forming a human ring around City Hall. Walter Palmer, an established black businessman and civil rights activist, organized the coalition and the march as well as serving as an intermediary between MOVE and the city during the blockade. Palmer said 15,000 people attended the demonstration on City Hall (Assefa and Wahrhaftig, p. 67-69).

Rizzo's next step was to give in to the negotiation process. MOVE's position all along was that they wanted MOVE members in jail set free, the police beatings and harassment to stop, and the courtroom manipulation to come to a halt. MOVE agreed to submit to arrest on outstanding charges and allow police to inspect the MOVE compound for any weapons or health code violations. The final agreement between the city and MOVE was agreed to by MOVE only after imprisoned members were allowed to inspect the formal agreement first hand. On May 9, 1978 MOVE surrendered their fake explosives and inoperable weapons to the police department and city officials inspected the MOVE compound, finding no violations of housing or public health codes, in fact

they found it to be clean. City officials also conducted a search for weapons, however, they only found inoperative ones during a three hour search (Assefa and Wahrhaftig, p. 74).

By May 23, 1978 it became clear to MOVE members that the city had no intentions of following through with the provisions of the agreement, Phil and Sue Africa went to Common Pleas Court Judge G.F. Dibona to express their concerns. At this meeting Phil and Sue Africa had a heated argument with Dibona who held Phil in contempt of court for calling Dibona a "liar and a bloodletter" (MOVE, p. 9). Dibona imposed a \$25,000 bail on Phil Africa; an act that was not within his legal authority. Judge Dibona's actions were not conducive to healing the wounds between the city and MOVE. Tensions between the city and MOVE increased during the summer of 1978 because MOVE and the city could not agree on what exactly was agreed to on May 8, 1978.

Six hundred police officers and firemen encircled the MOVE compound on August 8, 1978. The assault began in the early morning hours and included use of; a bulldozer, crane, battering ram, automatic and semi-automatic weapons, tear gas, smoke bombs, machine guns, uzis, and deluge guns to flood the house. During the attack officer James Ramp was killed by friendly fire. Police blamed the shooting on MOVE, but not a single weapon was found in MOVE headquarters that had any fingerprints belonging to

MOVE members. Ramp, shot in the back of the neck, was facing the MOVE house at the time of his shooting. The people inside the house, five men, seven women, and eight children, were all in the basement at the time of Ramp's death which means that the chances of MOVE shooting officer Ramp were slim at best. Furthermore, the last time police checked the MOVE compound they found no operable weapons. The most important factor in determining who shot Ramp would have been the crime scene clues that could have been properly investigated had police not completely destroyed the property with a bulldozer and other heavy construction equipment hours after the assault.

The city charged 9 adults with the murder of officer Ramp. Judge Malmed convicted each of the MOVE members to 30-100 year sentences using circumstantial evidence. Sandra Davis was in the basement of the MOVE headquarters at the time of the attack and she was acquitted of any wrongdoing because she renounced her MOVE membership in court. Rizzo wanted the death penalty for the MOVE members, "The only way we're going to get rid of them is to get the death penalty back in, and I'll pull the switch myself" (Harry, p. 101). This came as no surprise since Rizzo had been fighting to kill protestors since 1967.

Police officers not only tried to kill MOVE members while inside the house during the confrontation with MOVE, they beat Delbert Orr Africa as he fled the basement. Delbert Africa left the house without a shirt and his hands were on his head posing

no threat to police.

Newspaper photographs bore witness to his exit. Through them, you see him, shirtless, arms spread out, about to be beaten. An unidentified policeman, clothed in a bullet-proof vest and a baseball cap, stands at Delbert Africa's side, pointing a semiautomatic rifle at his chin. A second officer has an arm cocked, ready to deliver a blow with his riot helmet. The blow forwarded, Delbert hits the ground, only to be grasped by the hair and wrenched from the grass to the sidewalk, where he is kicked by another policeman. After this battering, he is taken into custody where, nearing the police wagon, fellow policemen constrain yet another officer from causing more injury to the apprehended MOVE member (Anderson and Hevenor, p. 35).

The city of Philadelphia's police department has once again followed the traditional pattern of beating MOVE members, however, this time the beating is not only in the papers but a local television station has captured the beating on videotape.

Mumia Abu-Jamal reacted to the August 8, 1978 assault as well.

But John Africa's soldiers would not flinch, and on August 8th, 1978, the police would open up an assault that would drench this system in infamy. The early morning would be shattered by gunfire, and West Philadelphia would be plunged into unforgettable scenes likened to a biblical Armegiddeon, for this would mark the point of rupture, when MOVE would rip free from any semblance of relationship with this system (p. 18).

Following the August 8, 1978 confrontation the citizens took to the streets in anger. As early as 10:30 a.m. that same day the protests began between angry citizens and police, resulting in shouting and cursing at police as well as mounted officers being pelted with rocks and bottles. The protestors did not quiet overnight, "On August 17 more than two thousand marched through the streets, protesting Rizzo, the police, and the

assault on MOVE-one of the largest and most militant demonstrations in Philadelphia in several years" (Harry, p. 101-102).

Judge Stanley Kubacki ruled on Delbert Africa's case on Tuesday, February 3, 1981. Kubacki and the jury had seen a three-minute video of the beating, viewed newspaper photographs of the beating, and heard testimony from a Daily News photographer that Delbert made no attempt to resist arrest. Philadelphia's citizens had taken to the streets to voice their disdain of the police department. Kubacki's decision was "unexpected,"

'Philadelphia is bleeding to death because of the MOVE tragedy.' Kubacki therefore ordered a directed verdict of innocent on all charges against the three defendants. 'No verdict,' the judge said, 'will staunch the flow of blood. It can only be stopped by setting up a lightning rod. I will be that lightning rod' (p. 49).

Judge Kubacki could not have predicted the hollow ring in those words after the events of May 13, 1985, nor could he have gone any further out of his way to destroy one of the American principles, "Truth and Justice for All." The officers who beat Delbert Africa would have another opportunity to act out their racist, school bully desires toward MOVE. Abu-Jamal, who at age 26 was elected president of the Philadelphia chapter of the Association of Black Journalists in 1980, summarized the 1978 Powelton Village incident.

It doesn't take a Rhodes scholar to figure out that the 1978 arrests, trial and convictions of 9 MOVE men & women in connection with the death of a city cop was a set-up from the word "go." In a trial that had not even the faintest resemblance to justice, the judge who convicted them to a virtual millennium would later boast over the airwaves of a popular talk-radio station that he had not "the slightest idea" who was guilty! (p. 24)

The nine MOVE members convicted of Ramp's murder were not responsible for the murder according to the evidence and testimony presented in the trial. MOVE members testified that they did not shoot any weapons during the confrontation. Firemen stationed near the house testified that no shots came from the compound, others testified that the members would not have been able to shoot weapons and hold babies at the same time as well as not recalling seeing any MOVE member with weapons during the confrontation and exit of the compound.

IV. MAY 13, 1985

MOVE members relocated to 6221 Osage Avenue on the West Side of Philadelphia, the house belonged to Vincent Leapheart's sister, Louise James, who lived on Osage Avenue since the early 1960's (Assefa and Wahrhaftig, p. 103). The neighborhood is described by Margot Harry:

A stable, quiet, and proud neighborhood, its residents include teachers, postal workers, keypunch operators, civil servants, small businessmen, and retirees. Most of the houses are owned rather than rented, and it's the kind of neighborhood where people work two or even three jobs to pay off the mortgage and send their kids to college (p. 7-8).

MOVE members had continuing problems with the city officials concerning the MOVE lifestyle and message they were broadcasting over a loudspeaker system. MOVE also met with opposition from neighbors that were uncomfortable with MOVE's dedication in exposing the corruption within the American system. MOVE and neighbors attempted to iron out their differences; however, some neighbors decided to take their grievances to city hall instead (Assefa and Wahrhaftig, p. 103-111).

Beatings of MOVE members and courtroom manipulation continued to occur during the early eighties. One member, Mo Africa, "was arrested three times, beat bloody by police three times and shot once by police between June and October 1984" (Africa, letter received 3/26/91). Police had failed to resolve

the conflict between themselves and MOVE during the aftermath of the 1978 shootout at Powelton Village. Judge Kubacki had failed to be the, lightning rod that ended the flow of blood between MOVE and the city; in fact, similar acts of injustice by other judges had been exactly what MOVE was most adamant about since its inception. MOVE continued to protest the jailing of their members, especially the nine members wrongly convicted of the Ramp murder in 1978 and sentenced to 900 years in prison. Tensions between the city and MOVE ran high before the August 8 shootout; actions taken by the courts, police, and other city officials increased those tensions.

On August 8, 1984 the city sent hundreds of police officers and urban security forces to go through a non-violent trial run of a plan designed to force the members of 6221 Osage out (Anderson and Hevenor, p. 75). MOVE had constructed a bunker on top of the residence which threatened police and other officials who were constantly monitoring the area. On April 29 a MOVE member stood on top of the residence and addressed the continued harassment of MOVE at the hands of police. On April 30, 1985 police commissioner George Sambor began to devise the confrontation with MOVE (Anderson and Hevenor, p. 79-80).

During the planning stages of the May 13, 1985 massacre, police, firemen and officials from the mayor's office plotted the confrontation and what tactics they would employ to assure the removal of members from the compound (Anderson and Hevenor, p.

77-94).

The assault on the residence at 6221 Osage Avenue lasted more than two day, from the evacuation of neighbors on Mother's Day to the reckless removal of body parts from the compound on the 14th. The day began with two insertion teams attacking the residence from either side of the house. There was an exchange of weapon fire, from police stationed on all sides of the residence including the insertion teams, that lasted for ninety minutes. During that exchange of fire one policeman was shot in the back, most likely from friendly fire. The two insertion teams destroyed the homes adjacent to 6221 Osage using plastic explosives containing military explosives designed for warfare. The insertion teams also blew holes in the walls of the MOVE residence with the plastic explosives given to them by the F.B.I. and threw tear gas grenades into the residence. The insertion teams also used peper foggers to spray tear gas into the compound by way of the huge holes made in the walls. Police were unable to accomplish their intended effects with the early morning assualt on the compound so they changed the strategy (Anderson and Hevenor, p. 108-160).

At 5:27 pm police dropped a bomb on the roof of 6221 to try and destroy the bunker. That is the explanation for the bomb given by police, however, the more reasonable explanation given the fact that police already had access to the house through the huge holes created in the walls of the house by the insertion

teams, is that police were attempting to exterminate MOVE men, women, and children. The bomb resulted in a fire that police commissioner Sambor ordered left alone for one and a half hours. The men, women, and children inside the house attempted to give up to police, but the automatic weapon fire from the alley turned them away according to testimony given during the MOVE Commission. Several children made it out of the residence and were shot in the alley by police, then their bodies were later returned to the fire by police. The six alarm fire burned for over six hours and took 61 homes during its rage through the quiet West Philadelphia neighborhood.

Three investigations following the May 13, 1985 slaughter, the city's hands were clean. Not one person serving in an official capacity during the assault of 6221 Osage Avenue was charged, let alone convicted, of any crimes due to the brutal murder of eleven human beings on May 13, 1985. The investigations done on a local, state, and federal level, triggered a backlash from citizens around the world.

The local investigative body, the MOVE Commission, consisted of men and women, black and white, from varying civic corporate, and legal fields. At first the MOVE Commission was condemned because it was composed of friends and allies of the Mayor, Wilson Goode; however, the MOVE Commission was most critical of the findings of the Grand Jury Report and the

investigation done by the U.S. Justice Department. The commission, with one dissenting opinion, concluded:

The firing of over 10,000 rounds of ammunition, in under 90 minutes at a row house containing children was clearly excessive and unreasonable. The failure of those responsible for the firing to control or stop such an excessive amount of force was unconscionable. ...The joint decision of Police Commissioner George Sambor and Fire Commissioner William Richmond to let the bunker burn was the direct and most immediate cause of the death and destruction which occurred on May 13 on Osage Avenue and appropriate legal action should be instituted against them (p. 168-171).

The MOVE Commission, however, had no authority to take action against the city, that responsibility belonged to the Court of Common Pleas of Philadelphia County Trial Division - Criminal Section. The result of the investigation was published as Report of the Grand Jury.

The Grand Jury investigations held that the city's actions were wrong, however, the Grand Jury decided that they could not press charges because city officials lacked the criminal intent necessary to prosecute a crime. They also held that the actions taken by the city officials were within legal boundaries due to lack of intent. The Grand Jury did acknowledge the fact that two police officers lied during the investigation procedures, however, the Grand Jury did not want act on such a "petty detail."

While the conduct of City officials in handling MOVE is entirely unacceptable, it is not the proper subject of criminal prosecutions. Applying the law to the facts as we found them, no charges are warranted. Yet we do not exonerate the men responsible for this disaster. Rather than a vindication of those officials, this

report should stand as a permanent record of their morally reprehensible behavior. This City, its leaders and citizens, must never forget the terrible cost of their misjudgments (p. 279).

The official report asks the citizens never to forget the cost of their city official's misjudgment, however, the city takes absolutely no action to assure the citizens that this type of disaster will not happen again. The brutal murder of six adults and five children went without punishing the authorities responsible even though the Grand Jury Investigation clearly discovered who was responsible for the murders. The Grand Jury was more concerned with the cost the city had to bear for rebuilding the demolished property than they were in granting justice to the families of the dead victims.

The justice department went even further by declaring that the state report was not only correct but that in addition to the lack of criminal charges they could not file any civil rights violations because the city had not intended to violate the rights of the people inside 6221 Osage Avenue.

The findings of the Grand Jury were criticized by William H. Brown III, chairman of the MOVE Commission.

'I have no idea how the grand jury can justify not indicting anyone. Their justification, in the report at least, was that these were just small fish in a very large tragedy. ...If that's our system of justice, we're in trouble,' Brown said (Brennan, p. 1).

MOVE Commission member Charles W. Bowser was also extremely disappointed with the results, as he stated in the Philadelphia

Daily News, "It's a miscarriage of justice, particularly as regards the killing of five children who were innocent of any crime." Burton Caine, a Temple University law professor, was equally upset with the findings, "It's an utter outrage." Caine also explained the problem of criminal intent, "Everybody denies specific criminal intent when they're accused of a crime. You infer intent from their actions."

Alice Walker, award winning author of The Color Purple, was in Paris at the time of the bombing and expressed her feelings concerning the tragedy.

The real reason for the government hit-squad is no secret: MOVE is an organization of radical utopians. Their political activity, their allusions to Africa, their dreadlocks, all speak rejection of the system. For this, they have been harassed, besieged, framed, beaten, shot, jailed, and now bombed (p. 160).

The results of these investigations, and the reaction to it immediately following the decision, provide powerful evidence for the argument that the law works to solidify power for a certain group even when they kill citizens that they are supposedly protecting and serving. Manning has stated that police violence is in support of the social interests which they are aligned, in the case of MOVE it is clear that the police department and court system were aligned together from the start. The frightening reality is that police seldom serve the people, they serve the ruling class by enforcing the law on citizens in a manner that promotes violence, misery, and cruelty in the lives of citizens.

V. CONCLUSION

When Richard Nixon was pardoned from any wrongdoing during Watergate it sent a message to the world that in America, once officials reach a certain elite status they choose to apply the laws to those for whom it conveniently benefits, or they choose not to apply the law when it threatens an elite person or group.

The rise in political influence is proportional to one's ability to manipulate the law to suit one's needs. Ronald Reagan learned his lessons well; he simply refused to accept any responsibility for selling arms to Iran in exchange for U.S. hostages; nor did he accept responsibility for the covert war in Central America. George Bush has continued this disturbing trend by refusing to accept responsibility for the war in Central America fought with taxpayers money. Ask Bush what he knows regarding "his" military in the Middle East and he will assure you that he has been kept informed by his staff. George Bush is the boss afterall, it would look foolish for him not to know what his employees are up to with taxpayer's money. Maybe all this should be forgotten and chalked up as human error? Another example of human beings making perfectly normal mistakes, it happens everyday. Unfortunately, injustice happens all too often within the American system. The victims, especially those in opposition to the U.S. government's agenda, rarely receive the

justice they deserve.

When government provides protection for its officials, and attacks the citizens rather than serving and protecting them they destroy the fiber of a country. A case in point is the violence associated with law enforcement in Los Angeles and the recent controversy surrounding police chief Daryl Gates. Thousands of citizens called for Gates to resign after video was shown on national television of several white police officers beating a black man, Rodney King, into paralysis with clubs and boots while he was lying on the ground chained up like a wild animal completely defenseless (Booth, p.19). Just a few months before this particular event but not before Gates called Latino officers "lazy by nature," The President of the United States singled Gates out as an American hero. When Presidents encourage this type of behavior from police commissioners, it explains why the violence, misery, and cruelty inflicted on citizens will not only continue, but become increasingly excessive as in the case with MOVE. The Annals of the American Academy of Political and Social Science, volume 452, 1980, explains the police role in the system,

The police kill people at a rate that ranges from six to thirty times that of which they are shot. Those whom they shoot are not a random assortment of individuals, class members, ethnic groups, or perpetrators of crimes. Nor are those who are shot more likely to be armed and dangerous than to be unarmed and helpless. The police are violent, and their violence supports the social interests with which they are aligned (p. 136).

Government has lashed out on countless occasions; Kent State, Jackson Miss., Attica State Prison, Chicago 1968, and Frank Rizzo's police force in Philadelphia serve as examples of injustice within a repressive state apparatus. Another example of state exercised repression occurred in the City of Brotherly Love on May 13, 1985. Although it is not isolated, as Manning further explains, "The evidence is not ambiguous: the police are violent and deadly...The police are typically violent toward minorities and the poor," the officials in Philadelphia participated in a particularly gruesome bloodbath (p. 137). The force used by the state in carrying out the function it serves, often involves violent miscarriages of justice, in some instances the results are more horrifying than others.

The lessons learned from investigating the City of Philadelphia's handling of the MOVE organization provide graphic detail of how unjust the American system is. During the course of ten years the city killed nearly twenty citizens and completely destroyed any resemblance of justice within the court system. American officials continue to repress the citizens of this country by spending billions of dollars on military equipment designed to quell rebellion on the domestic and international front; in doing so, government must deny citizens clothing, education, food, health care, and shelter. Without these basic necessities, citizens will revolt against those in

power in an attempt to obtain control over their own lives. Government has two options: on the one hand, government can spend more money to stop protestors from threatening their power base while further entrenching the systematic repression of the masses; on the other hand, government can attempt to balance out the inequities of the system and provide some basic services to the citizenry so that they have less desire to revolt.

American government has made a conscious decision to repress the less fortunate by increasing the violence, misery, and cruelty in their lives. Margot Harry suggests that this military buildup in expectation of revolt is responsible for the massacre on Osage Avenue.

The entire counterinsurgency apparatus that has been developed over the last several years by the U.S. government, inco-operation and coordination with local police forces - that is what lies behind the murder of eleven black radicals in Philadelphia on May 13, 1985.

This project has taken Harry's hypothesis one step further. The repressive methods employed by the city of Philadelphia should not be viewed as an isolated example of poor management and misjudgment as the official investigations into the May 13, 1985 suggest. The reasons behind the Osage slaughter can be found in the brutal tactics that police and courts employed for over ten years in an effort to kill the spirit of MOVE members. Each step leading up to the May 13 confrontation was carefully planned by the city, justified by the courts, and encouraged by high ranking government officials. Law enforcement officials from around the

country came to Philadelphia to learn about controlling the citizens. Among those visitors was a representative of the Los Angeles SWAT squad. Harry explains the effect it had upon police commissioner Gates;

Thus, it is noteworthy that L.A. Police Chief Daryl Gates decided, in the immediate aftermath of the MOVE massacre, to send one of his SWAT leaders to Philadelphia to see what pointers could be picked up. Gates then subsequently reported on "Face the Nation" that his SWAT man came back 'very impressed with the professional quality of the Philadelphia Police Department' (p. 161).

Justice is interpreted by those in the system with power as the means necessary to protect that power, not by consistent and unbiased application of the law. Principles such as innocence before guilt mean little in the repressive state apparatus that rules America. More importantly, the court system promotes this repression by enforcing the laws against those running the system only when it suits the power entrenching needs of the system. After careful consideration of Philadelphia's officials handling of the MOVE organization the evidence is overwhelmingly clear that a repressive state apparatus is alive and well governing the people of America.

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